

# **The Village of Lyons**

## **REQUEST FOR PROPOSALS**

**For**

**THE LYONS QUARRY CENTER**

**4400 S 1st Ave**

**Lyons, IL 60534**

***THE RESPONSIBILITY FOR SUBMITTING A RESPONSE TO THIS REQUEST FOR  
QUALIFICATIONS TO THE VILLAGE OF LYONS ON OR BEFORE THE STATED TIME  
AND DATE WILL BE SOLELY THE RESPONSIBILITY OF THE RESPONDENT***

## I. GENERAL INFORMATION

### A. Introduction and Overview

The Village of Lyons (“Village”), invites developers to submit their proposals in response to this Request for Proposals (“RFP”) for the redevelopment of all or a portion of a approximately fifty-four (54) acre site (“Site”) located at 4400 S 1st Ave in Lyons, IL

The development of the site will be assigned to one or more developers whose development plan is most consistent with the Village’s plan for the Site and *exhibits the greatest ability to generate the highest economic benefit for the Village*. The Village will give priority to developers with experience, financial strength, and a demonstrated track record in undertaking high-quality commercial and/or light industrial development projects. The developer(s) will be responsible for the overall development of the Site. Responsibilities will include, but are not limited to, leading the effort in design, oversight, development project financing, construction, tenant recruitment, leasing, and delivery.

The Site boasts the following attributes:

- 3-Mile Population: 128,039
- 3-Mile Average Household Income: \$91,250
- 1<sup>st</sup> Ave ADT: 35,300
- Ogden Ave ADT: 23,8000

Developers are encouraged to prepare creative development alternatives for the Site which is compatible with surrounding land uses and conform to the Village’s redevelopment goals and objectives, which include:

- Highly attractive architectural design complimented by quality building materials, including masonry, stone, architectural glass, and metals. If applicable, the design of multiple buildings must maintain consistent architecture and building materials. The response must meet or exceed applicable zoning regulations for the Site.
- Parking lots should be well landscaped to reduce their visual dominance along the corridor.
- Provision of landscaping throughout the Site to provide an attractive gateway into the Village.
- Maximizing the use of the Site for a vehicle refueling / travel center with short term parking.
- The Village is open to cooperating with the selected developer(s) by deploying economic development tools and incentives that lead to a high quality development of the Site.

In preparing a development concept for the Site, developers should refer to the Village’s existing zoning and development regulations. Developers are encouraged to prepare a unique conceptual development plan for the Site, based on the Village’s goals and desires described within this RFP, Site conditions, real estate market realities, and identified end-user needs.

**B. Inquiry Period**

The RFP process will close on January 13, 2023. During this period, developers may request information or answers to questions regarding the development area. The Village is the sole point of contact for any questions related to this RFP. *Inquiries directed to anyone other than the individual identified below may be grounds for rejection of the developer’s proposal.*

Questions and/or comments must be directed in writing via email to Thomas Sheahan at the contact information below. The email title should reference “Question regarding Lyons Quarry Center RFP”.

Village of Lyons  
Ryan Horne  
E-mail: rhorne@villageoflyons-il.net

**C. Submission Deadline**

Responses must be received no later than 5:00 p.m. CDT on **January 20, 2023**. Late responses WILL NOT be accepted. Any response received after the response deadline will be returned unopened to the developer. It is each applicant’s responsibility to ensure the timely delivery of its response, regardless of the method used. Mailed responses that are delivered after the submission deadline will not be accepted regardless of the post-marked time on the envelope.

An original response must be sent under a sealed cover to the following address:

Mr. Ryan Horne  
Village of Lyons  
4200 Lawndale Ave  
Lyons, IL 60534

The response must be clearly marked with the following title as well as the date and time of receipt:

**4400 S 1st Ave Redevelopment Proposal**

The proposal must identify that portion of Site that is the subject of the Proposal as well as the purchase price being offered and contain all the information and be organized as requested in this RFP. Failure to follow these instructions may result in rejection of the proposal. Developers assume all costs associated with the proposal, updating or supplementation of information, due diligence efforts, responding to any requests for information, interviews, and other items prior to the execution of an agreement for the development of the Site. The Village is under no obligation to proceed with the development of the Site. Submitting a proposal in no way confers upon a developer any position, privilege, or preference as it relates to the development of the Site.

Each developer must state that the proposal is valid for a period of twelve (12) months from the date of the proposal.

The response should be on 8 1/2" x 11" paper, single sided. Maps and graphics may be submitted on paper up to 11"x17" and folded into the response. All original copies should be bound in a manner that would facilitate separation of any financial statements that the developer considers to be proprietary or confidential. Any proprietary or confidential financial statements shall be clearly marked as such by the developer.

Each developer must also submit one (1) USB Flash drive, which shall include all required materials, as well as a link to a drop box with all required documents.

The Village reserves the right to extend the dates for submission as well as the length of the inquiry period. The responses to this RFP will be opened at 2:00 p.m. on January 23, 2023 or such later date as the Village determines if the dates for submissions and/or inquiries are extended. The opening of the responses will be held at the Village Hall located at 4200 Lawndale Ave Lyons, IL 60534, and will be open to the public. Proposals received prior to the opening will be securely kept and unopened. No responsibility will be attached to the Village or its employees, independent contractors, agents or representatives for the premature or non-opening of a response not properly addressed and identified.

A written request for the withdrawal, modification or correction of a response or any part thereof may be granted if the request is received by the Village prior to the time for opening the responses.

#### **D. Submission Requirements**

The Village is committed to ensuring the integrity of the selection process. Each developer is expected to fully inform itself as to the conditions, requirements and specifications before submitting proposals. Failure to do so will be at each developer's risk. Submitting a response will be deemed an acknowledgement that the developer is familiar with all conditions set forth herein and intends to comply with them, unless otherwise noted.

No developer will be selected that is, or has any affiliate or Key Individual that is, in arrears or is in default to the Village or any other entity upon any debt or contract, or that is a defaulter, as surety or otherwise, upon any obligation to the Village or any other entity, or that has failed to perform faithfully any previous contract with the Village or with any other entity.

Responses to this RFP shall include the completed forms, attached hereto as Attachments A through D and address the criteria and provide the materials as outlined per each section below:

#### **Section 1 – Developer/Development Team Description**

- a. Nature of business;
- b. Years of operation;
- c. Organization type (corporation, partnership, joint venture, etc.). If the entity which is to undertake the development has been, or will be, specially formed to carry out the proposed development project, and represents a subsidiary or joint venture, specify the

- guarantee relationships that will exist between its parent company/corporation, sponsors, or participants, particularly as they relate to guarantees of performance;
- d. Specialty. Provide a list of retail projects completed over the last sixty (60) months
  - e. If the developer or a parent corporation, a subsidiary, an affiliate or a principal of the developer is to participate in the development of the project as a construction contractor or builder, include:
    - a. The name and address of such contractor or builder;
    - b. Whether such contractor or builder, within the last ten (10) years ever failed to qualify as a responsible bidder, refused to enter into a contract after an award has been made, or failed to complete a construction or development project; and
    - c. The total amount of construction or development work performed by such contractor or builder during the last five (5) years

### **Section 2 – History of Development Entity**

Demonstrate your entity’s ability to develop projects with an emphasis on:

- a. Quality of architectural and landscape design (attach designs/photos);
- b. Project and property management;
- c. Tenant attraction and retention;
- d. Leasing timeline;
- e. Vacancy rate;
- f. Retaining projects as investments;
- g. Successful redevelopment experience with local, county, state, and federal agencies; and
- h. The name, address, telephone/fax numbers, and e-mail address of the project manager assigned to the proposed development project

### **Section 3 – Key Individual Resumes**

Provide resumes and critical information for all principals and key individuals in the development entity. Key Individuals include anyone in an executive or director role in the entity, as well as any person who would have a management role with regard to this project. Resumes should summarize the professional experience of each person, including each individual’s total time with the firm, present and past responsibilities, and a description of each individual’s experience prior to joining this firm.

### **Section 4 – Organizational Structure**

Provide an overview of the organizational structure, including an organizational chart, of the development entity, along with the delineation of lines of responsibility. Indicate the name, address, telephone/fax numbers, and e-mail information of the representative authorized to act on behalf of the development entity.

### **Section 5 – Narrative Development Project Description**

Provide a narrative description of the proposed development project to include:

- a. Development concept;
- b. Conformance to the Village’s goals and objectives;
- c. Conformance to the Village’s Zoning Code and regulations, including the planned unit development criteria, if applicable, along with a zoning comparison chart
- d. Plan for construction;
- e.

- f. Redevelopment timeline consisting of overall project schedule that includes milestones and target completion date.
- g. Number of square feet to be constructed;
- h. Targeted market segments (including projected sale/lease rates);
- i. Development project acquisition, leasing, financing, construction timelines and phasing; and
- j. Projected real estate and sales tax revenues anticipated to be received by the Village over a ten (10) year period. Include detailed descriptions of the assumptions used in generating the real estate and sales tax projection estimates.

### **Section 6 – Conceptual Design**

Provide a conceptual design of the proposed development that includes:

- a. Conceptual building footprint layouts;
- b. Lot coverage;
- c. Parking and landscaped areas;
- e. Vehicular access and circulation to the Site; Streetscape improvements;
- f. Stormwater retention/detention, if applicable;
- g. Requested variations from the Village’s zoning and development code, if applicable and;

**Conceptual building elevations with material descriptions are not required but are encouraged.**

### **Section 7 – Development Pro-Forma**

Prepare a profit and loss statement for the development project covering at least five (5) years. The statement must include “soft” and “hard” development costs.

### **Section 8 – Performance Bond References**

Provide the name, address, and telephone number of those companies that have issued performance bonds to the developer for previous projects.

### **Section 9 –Tenant Relationships**

Provide a list of identified commercial tenants for the development project that the developer would target for the Site. The list should include businesses that have been past tenants in developments constructed by the developer. Include the names and contact information for all prospective tenants as well as a letter of intent, if applicable, from prospective tenants agreeing to occupy the development upon its completion.

### **Section 10 – Professional References**

Provide at least five (5) references, other than the financial and project-specific references included herein, from individuals or firms with whom the developer has worked. Include the name, address, telephone/fax numbers, and e-mail address of each contact person. References must be from individuals or businesses with experience in development or commercial finance, such as a bank or other lending institution, or from a municipality or county in which the developer has previously developed land.

## **Section 11 – Financial Statements**

Provide a copy of current financial statements, including three (3) letters of reference from a financial institutions, balance sheet, and profit and loss statement with explanations regarding the valuation of assets and recognition of revenues and expenses. If the date of the financial statement precedes the date of a response by more than six (6) months, also attach an interim balance sheet not more than sixty (60) calendar days old.

If funds for the development project are to be obtained from sources other than the developer's own funds, include a statement of the developer's plan for financing that identifies the source(s) of funding and development of the Site. Developer equity should also be detailed as to the amount that would be dedicated to this project.

## **Section 12- Insurance**

### Evidence of Insurance

Within five days prior to the commencement of construction activities, the developer shall furnish the Village with satisfactory evidence that the developer and/or owner entity, general contractor and subcontractors have the insurance coverages set forth below.

1. Builder's Risk- The developer and/or owner entity shall provide directly, on behalf of the contractor and subcontractors, an All Risk Builder's Risk Insurance policy covering new construction, improvements, betterments, and/or repairs, at replacement cost, for all materials, supplies, equipment, machinery and fixtures that are or will be a part of the permanent project.
2. General Liability Insurance- General Liability Insurance provided shall have a limit of not less than One Million Dollars (\$1,000,000) per occurrence with an aggregate of not less than Five Million Dollars (\$5,000,000).
3. Excess Liability- The developer and/or owner entity shall secure Excess Liability Insurance in the amount of not less than Ten Million Dollar (\$10,000,000). This coverage will be in excess of the General Liability, Auto Liability and Employer's Liability coverage.
4. Automobile Liability Insurance- When any motor vehicle (owned, non-owned and/or hired) is used in connection with the construction to be performed for the development, Comprehensive Automobile Liability Insurance with limits of not less than One Million Dollars (\$1,000,000) per occurrence CSL, for bodily injury and property damage shall be provided.
5. Workers' Compensation and Occupational Disease Insurance- Workers' Compensation and Occupational Disease Insurance shall be in accordance with the laws of the State of Illinois

Coverage A, and Employer's Liability, Coverage B, in an amount of not less than \$500,000/\$500,000/\$500,000.

6. Professional Liability (Errors & Omissions)- The developer and/or owner entity shall require any architects and engineers of record, construction manager, property manager, security companies and/or other professional consultants who perform work in connection with the development to provide Professional Liability Insurance. Such insurance covering acts, errors or omissions shall be maintained with limits of not less than Five Million (\$5,000,000) per occurrence.

7. Contractor's Pollution Liability-The general contractor shall require a separate Contractor's Pollution Liability insurance policy, covering bodily injury, liability, and property damage liability, arising out of pollutants including while in transit to a permanent disposal facility which may arise from activities under or incidental to the contract, whether such activities be by the general contractor or by any of its subcontractors or by anyone directly or indirectly employed or otherwise contracted by any of them. Policy shall not exclude lead or asbestos abatement or mold remediation. This policy shall be maintained with limits of not less than Five Million Dollars (\$5,000,000) per occurrence.

**Section 13 – Legal Action**

Provide a brief description of all legal actions in the past five (5) years in which the developer or any Key Individual team member has been a debtor in bankruptcy; or a defendant in a lawsuit for deficient performance under a contract; or a defendant in an administrative action for deficient performance on a project; or a defendant in any criminal action; or a target or a subject of any criminal investigation.

**Section 14 – Ethics**

Provide responses to the following:

A. Has the developer, its affiliates or any Key Individual provided any income or compensation to any Village official during the 12-month period preceding the date of this RFP?

Yes  No

B. Does the developer, its affiliates or any Key Individual reasonably expect to provide any income or compensation to any Village official during the 12-month period following the date of this RFP?  Yes  No

If yes to either of the above, please identify below the name(s) of such Village official(s) and describe such income or compensation:

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C. Does any Village official or, to the best of the developer's knowledge after reasonable inquiry, any Village official's spouse or domestic partner, have a financial interest in the developer, its affiliates or any Key Individual?

Yes  No

If "yes," please identify below the name(s) of such Village official(s) and/or spouse(s)/domestic partner(s) and describe the financial interest(s):

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**E. Selection Process**

The developer selection process will involve an evaluation and ranking of each response to the RFP, including, but not limited to, the following selection criteria:

1. The proposed development concept, development project schedule/timeline/phasing, identified tenant mix, and retail density;
2. The professional and technical competence and related experience of the developer, including the management team and key development project participants in developing and operating similar projects;
3. Maximization of public revenues through positive economic impact, sales taxes, property taxes, and other revenue to the Village resulting from the development;
4. The strength of the developer's organizational and management structure as demonstrated by previous experience in undertaking and completing commercial/retail development projects;
5. The financial capability of the developer as demonstrated by the strength of its current financial position and its ability to obtain financing for the development project;
6. The business reputation, professional capability and past performance of the developer entity as demonstrated by success on previous development projects;
7. The physical impact of the development project on the Site and adjacent property uses.

The Village reserves the right to interpret said criteria and revise the evaluation process, based upon benefits to the public and the requirements stated in this RFP.

The Village will review all responses to determine compliance with the information requested in this RFP. The Village reserves the right to allow non-substantive deficiencies to be corrected. Shortlisted candidates may be interviewed, at the Village's sole discretion, and additional information may also be requested.

The Village reserves the right to reject any or all responses and make no recommendations if, in its sole discretion, none of the RFP responses meet the Village's requirements, reflect the

Village's determined highest and best use of the Site, or is in the best interests of the Village or its residents, as determined by the Village in its sole and absolute discretion.

Upon the direction of the Lyons Village Board, the Village may begin negotiations with the developer(s) selected by the Lyons Village Board, if any, possibly resulting in a development agreement. Following the selection of the developer(s), if any, a master plan and architectural/design concept will be provided to the Village by the developer(s). Selection of a developer does not guarantee approval of a redevelopment agreement by the Village. In the event that the developer(s) and the Village fail to agree on the terms of a redevelopment agreement and the Village may choose another developer from the remaining responses or issue another RFP.

The Village reserves the right, at its sole discretion, to cancel or modify this RFP in part or in its entirety. The Village will not reimburse applicants for any costs incurred in the preparation or submission of their proposals. All proposals are made at the sole cost of the developer.

#### **F. Events of Default and Disqualification.**

More than one proposal from an individual, firm, partnership, corporation, company, entity or association under the same or different names to undertake the development project will not be considered. Reasonable grounds for believing that any party is interested in more than one response for the development project will cause the rejection of all responses in which said party is interested. If there are reasonable grounds for believing that collusion exists between or among the parties submitting proposals, the proposals of the participants in such collusion will not be considered.

Each of the following events shall be considered an event of default or disqualification:

1. Unilateral withdrawal by the Applicant;
2. Failure to proceed substantially in accordance with the response as submitted;
3. Failure by the selected developers, for any reason whatsoever, to negotiate in good faith or to timely execute a purchase and sale agreement or a development agreement;
4. Any material misrepresentation, omission, or inaccuracy contained in any document submitted as part of the developer's submission pursuant to this RFP, or subsequent thereto; and/or
5. Failure to provide in a timely manner any additional material, including proof of all required insurance, required by the Village after selection of the developer.

Upon the occurrence of an event of default or disqualification by the chosen developers in the sole discretion of the Village, the Village shall have the right, at its sole discretion, to: (i) rescind its selection of the developers; (ii) declare null and void any agreement that may have already been executed; and (iii) retain any amount theretofore paid to the Village by the developer(s). Any other failure to strictly comply with the requirements of this RFP may result in rejection of the proposal. The Village retains the right to seek all other remedies to which it may be entitled.

## **G. Conditions & Constraints**

The following Site conditions and development constraints shall apply to all land within the Site. All development shall be governed by the Village's development standards as dictated by any and all applicable municipal, building, land use, zoning, and aesthetic codes, including the Zoning Code. In order to invite a quality and innovative development plan, appropriate, suggested changes to the Village's zoning regulations may be included in the proposal.

Although it is not necessary to have the entire program in place at the time of submission, the selected developer will be required to comply with applicable state, local and federal laws, which may include, without limitation, the Illinois Prevailing Wage Act (820 ILCS 130/0.01, *et seq.*), the Public Works Employment Discrimination Act (775 ILCS 10/0.01, *et seq.*), the Illinois Human Rights Act (775 ILCS 5/1-101, *et seq.*), and equal opportunity employment policies for all aspects of the development project. In addition to the foregoing, the developer shall possess, and shall require all of its contractors and subcontractors to possess, all necessary federal, state and local licenses, certifications, permits and/or approvals as are required by law.

All development, land use, transportation, infrastructure planning, and/or improvements shall be the responsibility and expense of the developer(s). The Village shall provide the developer(s) with all pertinent information at its disposal. However, it shall be the responsibility and expense of the developer(s) to verify the accuracy, applicability, and validity of said information and to conduct all necessary surveys and obtain all other due diligence information required.

**Property Address:** 4400 S 1<sup>st</sup> Ave, Lyons, IL

**Physical Location:** It is generally bounded by 1<sup>st</sup> Avenue on the west, Plainfield Road and Ogden Avenue on the north, the Village Hall to the east and industrial on the south.

**Current Land Use:** The current land use for the Site is vacant and designated for commercial/retail light industrial uses.

**Current Zoning:** B-2

The Zoning Code and any applicable development regulations are available for review at the Lyons Village Hall or on the Village's website.

**Total Land Area:** The total land area for the parcel is approximately fifty-four (54) acres.

**Land Conditions:** The Village does not possess any Environmental Assessments of the Site. The developer(s) should anticipate that the Village will negotiate a purchase and sale agreement with the successful developer(s). The Site will be conveyed from the Village on an "as-is" basis, without representations or warranties of any kind, subject to any and all defects whatsoever, including environmental defects. The cost of any survey of the Site will be borne by the developer(s).

**Site Accessibility:** Site access is currently provided via one (1) curb cuts along 1<sup>st</sup> Ave. Both 1<sup>st</sup> Ave and Ogden are arterial roadways, at the intersection of the roads north of the Site. 1<sup>st</sup> Ave right-of-way is under the jurisdiction of the Illinois Department of Transportation (IDOT). It is expected that the existing curb cuts will be consolidated as part of the redevelopment and aligned where needed. The developer shall be responsible for coordinating with IDOT and the Village to identify and design appropriate vehicular accessibility for the Site.

**Floodplain:** The Site is located within a Zone X flood plain, therefore, outside of the 500 year floodplain.

**H. Attachments**

- Attachment A: Non-Collusion Affidavit**
- Attachment B: Non-Discrimination Questionnaire**
- Attachment C: Applicant’s Statement for Public Disclosure Form**
- Attachment D: Certification**

**ATTACHMENT A  
NON-COLLUSION AFFIDAVIT**

STATE OF ILLINOIS            )  
  ) ss  
COUNTY OF COOK            )

This Non-Collusion Affidavit is made as of the \_\_\_\_ day of \_\_\_\_\_, 202\_, by \_\_\_\_\_ (“Undersigned”), being the \_\_\_\_\_(sole owner, partner, president, secretary, etc.) of \_\_\_\_\_(the “Developer”), in connection with the submission by the Applicant of a response (the “Response”) to The Village of Lyons (the “Village”) Request for Proposals for 4400 S 1<sup>st</sup> Ave Redevelopment Area, Lyons, Illinois ( “RFP”). The Undersigned states that he or she has personal knowledge of the matters contained herein and has been authorized by the Applicant to make the statements contained herein.

The Undersigned, being first duly sworn, deposes and says that he or she is the (sole owner, partner, president, secretary, etc.) of the developer that the Response was not made in the interest of or on behalf of any undisclosed person, partnership, company, association, organization or corporation; that the Response is genuine and not collusive or a sham; that the developer has not, directly or indirectly, induced or solicited any other party to submit a false or sham submission in response to the RFP and has not, directly or indirectly, colluded, conspired, connived, or agreed with any party to put in a sham submission in response to the RFP or to refrain from responding to the RFP; that the developer has not in any manner, directly or indirectly, sought by agreement, communication or conference with anyone to fix the purchase price of the site described in the RFP, or to fix any overhead, profit or cost element contained in the RFP, or to secure any advantage against the Village or anyone interested in the RFP, the purchase and sale agreement or the redevelopment agreement contemplated by the RFP; that all

statements contained in the Response are true and not misleading; and, further, that the developer has not, directly or indirectly, submitted its purchase price or any breakdown thereof, the contents of the Response or divulged information or data relative thereto and the developer has not paid and will not pay any fee in connection therewith to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof, or to any other individual except to such person or persons as have a partnership or other financial interest with the developer in its general business.

Signed: \_\_\_\_\_  
 Title: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 2023..

(SEAL)

Notary Public

## ATTACHMENT B NON-DISCRIMINATION QUESTIONNAIRE

This Non-Discrimination Questionnaire is submitted as of the \_\_\_ day of \_\_\_\_\_, 2023, by \_\_\_\_\_ ( "Undersigned"), being the \_\_\_\_\_ ( "Developer"), in connection with the submission by the Developer of a response to The Village of Lyons (the "Village") Request for Qualifications for 4400 S 1<sup>st</sup> Ave Redevelopment Area, Lyons, Illinois. The Undersigned states that he or she has personal knowledge of the matters contained herein and has been authorized by the Developer to complete this form with the information contained herein.

Complete All Items.

- | Does the Developer:  | Yes   | No    |
|--|-------|-------|
| (A) Currently employ less than twenty-five (25) persons, exclusive of the parents, spouse or children of the Developer?  | _____ | _____ |
| (B) Agree that, if awarded the redevelopment agreement and purchase and sale agreement in connection with the development project, it will not, during the performance of the said agreements, discriminate against any employee or developer for employment, or contractor, subcontractor or vendor because of race, religion, age, sex or national origin? | _____ | _____ |
| (C) Agree that it will cooperate with the Village and use its best efforts to employ local residents and to contract with locally-owned, women-owned, minority-owned, disabled persons-owned   |       |       |

and veteran-owned businesses, when feasible and financially practical?

\_\_\_\_\_

Developer,

By: \_\_\_\_\_

Its: \_\_\_\_\_

## ATTACHMENT C

### DEVELOPER'S STATEMENT FOR PUBLIC DISCLOSURE FORM

This Developer's Statement for Public Disclosure is submitted as of the \_\_\_ day of \_\_\_\_\_, 2023, by (the "Undersigned"), being the (sole owner, partner, president, secretary, etc.) of (the "Developer"), in connection with the submission by the Developer of a response to The Village of Lyons Request for Proposals for 4400 S 1<sup>st</sup> Ave Redevelopment Area. The Undersigned states that he or she has personal knowledge of the matters contained herein and has been authorized by the Developer to complete this form with the information contained herein.

#### A. DEVELOPER INFORMATION:

1. Name of the Developer: \_\_\_\_\_
2. Address of the Developer: \_\_\_\_\_
3. If the Developer is not an individual doing business under his or her own name, or if the Developer is a legal entity or is an entity doing business under a fictitious name, the Developer has the status indicated below and is organized or operating under the laws of the state of \_\_\_\_\_.
4. laws Names, addresses, title of position (if any), and nature and extent of the interest of the officers and principal members, shareholders, and investors of any member of the Developer as follows:
  - a. If the Developer is a corporation, the officers, directors or trustees and each stockholder owning more than ten percent (10%) of any class of stock.
  - b. If the Developer is a limited liability company, each member owning a ten percent (10%) or greater interest and each manager if not managed by the members.
  - c. If the Developer is a partnership or joint venture, each partner or participant and either the percentage interest owned by each such party or a description of the character and extent of interest.

<u>Name</u>	<u>Address</u>	<u>Percent Owned/ Extent of Interest</u>
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5. Name(s) and address(es) of any lobbyist or other representative or agent not identified above who may communicate with the Village regarding this Request for Proposals.

<u>Name</u>	<u>Address</u>
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Developer

By: \_\_\_\_\_  
Its: \_\_\_\_\_



**ATTACHMENT D**  
**CERTIFICATION**

This Certification is made as of the \_\_\_ day of \_\_\_\_\_, 2023, by \_\_\_\_\_ (“Undersigned”), being the \_\_\_\_\_ (sole owner, partner, president, secretary, etc.) of \_\_\_\_\_ (“Developer”), in connection with the submission by the Developer of a response (“Response”) to The Village of Lyons (“Village”) Request for Proposals for 4400 S 1<sup>st</sup> Ave in Lyons, IL, (“RFP”). The Undersigned states that he or she has been authorized by the Developer to make this Certification, and that the Developer acknowledges that the Village will be relying on this Certification.

**The Undersigned hereby certifies and declares that he or she has carefully read and acknowledges each and every part of the Response, including each of the completed forms submitted as part of the Response, including the Non-Collusion Affidavit, the Non-Discrimination Questionnaire and the Developer’s Statement for Public Disclosure; that the Undersigned has undertaken appropriate due diligence to ensure the veracity and accuracy of the information submitted and that to the best of the Undersigned’s knowledge and belief all statements contained in the Response and any attachments to the Response or any accompanying forms are true and accurate and not otherwise misleading and do not fail to include any information that would be relevant to a fair determination by the Village of the Developer’s ability to undertake the development project described in the RFP; and that all of said forms and the Response itself have been duly signed by authorized representatives of the Developer.**

**The Undersigned hereby further certifies and declares that that the Developer is not barred from submitting the Response to the RFP as the result of a violation of bid-rigging, which is Section 33E-3 of the Criminal Code of 1961 (720 ILCS 5/33E-3) or bid-rotating, which is Section 33E-4 of the Criminal Code of 1961 (720 ILCS 5/33E-4).**

**The Undersigned hereby further certifies that the Applicant, its affiliates, and its Key Individuals are current and in good standing with respect to the payment of all federal, state, and local taxes, including payroll taxes.**

**The Undersigned hereby further certifies that neither the Developer, its affiliates, nor its Key Individuals is in arrears or is in default to the Village or any other entity upon any debt or contract, and is not a defaulter, as surety or otherwise, upon any obligation to the Village or any other entity, and has not failed to perform faithfully any previous contract with the Village or with any other entity.**

Developer

By: \_\_\_\_\_  
Its: \_\_\_\_\_